

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

FILED

2012 JUL 27 P 3:43

JAMES EDWARD RICHARDS,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

RBS CITIZENS, N.A. d/b/a CITIZENS
BANK,

Defendant.

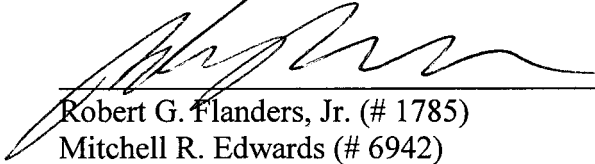
U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

C.A. NO. 12-239 M

**MOTION TO FILE EXHIBIT A TO DEFENDANT'S REPLY MEMORANDUM
IN SUPPORT OF MOTION TO DISMISS COMPLAINT UNDER SEAL**

Defendant RBS Citizens, N.A. d/b/a Citizens Bank ("Citizens Bank") moves this Court pursuant to LR Civ 102 for leave to file Exhibit A to Defendant's Reply Memorandum in Support of Motion to Dismiss Complaint under seal to protect the confidential information contained therein. The reasons for this motion to seal are set forth in the accompanying memorandum of law.

RBS CITIZENS, N.A. D/B/A CITIZENS BANK
By its Attorneys,



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DATED: July 27, 2012

CERTIFICATE OF SERVICE

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I certify that I mailed a true and accurate copy of the within document to counsel of
record, as set forth above, on July 27, 2012.



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RBS CITIZENS, N.A. d/b/a CITIZENS
BANK,

Defendant.

C.A. NO. 12-239 M

MEMORANDUM OF LAW IN SUPPORT OF
MOTION TO FILE EXHIBIT A TO DEFENDANT'S REPLY MEMORANDUM
IN SUPPORT OF MOTION TO DISMISS COMPLAINT UNDER SEAL

Defendant RBS Citizens, N.A. d/b/a Citizens Bank ("Citizens Bank") submits this memorandum of law in support of its motion pursuant to LR Civ 102 for leave to file Exhibit A to Defendant's Reply Memorandum in Support of Motion to Dismiss Complaint (the "Reply Memorandum") under seal to protect the confidential information contained therein.

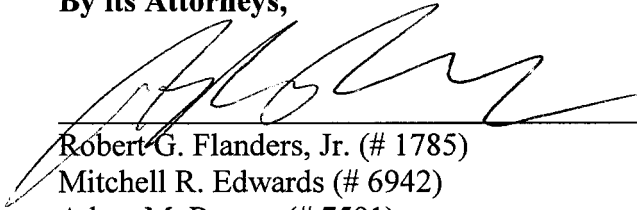
Exhibit A to the Reply Memorandum is a contract setting forth the terms of the business relationship between Citizens Bank and American Security Insurance Company. This contract contains confidential and proprietary information relative to Citizens Bank's business, which, if disclosed to the public would place Citizens Bank at a competitive disadvantage.

Additionally, Citizens Bank is party to a Confidentiality Order entered by this Court on July 9, 2012 in *Cook v. RBS Citizens, N.A.*, C.A. No. 1:11-cv-00268-M-DLM (ECF No. 41) (the "Cook Matter"). Citizens Bank designated the contract that is Exhibit A to the Reply Memorandum confidential pursuant to the terms of that Confidentiality Order when it produced

it in response to document requests served by the Plaintiff in the Cook Matter. Citizens Bank is under an obligation to maintain the confidentiality of this contract in connection with its obligations under the Confidentiality Order in the Cook Matter. Moreover, although discovery has not yet begun in this matter, the parties have undertaken preliminary discussions in an attempt to agree on the terms of a confidentiality order.

Accordingly, Citizens Bank respectfully requests that this Court grant Citizens Bank leave to file Exhibit A to the Reply Memorandum under seal.

RBS CITIZENS, N.A. D/B/A CITIZENS BANK
By its Attorneys,

A handwritten signature in black ink, appearing to be 'R. G. Flanders, Jr.', is written over a horizontal line.

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